

Nos. 04-3724/3725

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**

DEC 07 2005

ESTATE OF ROGER D. OWENSBY, JR.,

Plaintiff-Appellee,

v.

CITY OF CINCINNATI,

Defendant.

STEPHEN TILLEY, ET AL.,

Defendants-Appellants.

LEONARD GREEN, Clerk

ORDER

**RECEIVED**

DEC 08 2005

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MARTINS, RICE & POPHAM CO., L.P.A.

**BEFORE:** MARTIN and ROGERS, Circuit Judges; and FORESTER,\*  
District Judge.

The court having received a petition for rehearing en banc from Appellants David Hunter, Victor Spellman, Patrick Caton, Robert Jorg, Darren Sellers, Thomas Streicher, and the City of Cincinnati, and the petition having been circulated not only to the original panel members but also to all other active judges of this court, and no judge of this court having requested a vote on the suggestion for rehearing en banc, the petition for rehearing has been referred to the original panel.

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\*Hon Karl S. Forester, Senior United States District Judge for the Eastern District of Kentucky, sitting by designation.

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The panel has further reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered upon the original submission and decision of the cases. Accordingly, the petition is denied.

ENTERED BY ORDER OF THE COURT



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Leonard Green, Clerk 